

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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**PROVIDENCE STEEL, INC., individually  
and on behalf of a class of persons similarly  
situated,**

**Plaintiff,**

**v.**

**THE UNION CENTRAL LIFE  
INSURANCE COMPANY,**

**Defendant.**

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**CIVIL ACTION NO: 04-10440-NG**

**EMERGENCY MOTION PURSUANT TO LR. 7.1 FOR LEAVE TO FILE  
MEMORANDUM IN EXCESS OF TWENTY PAGES**

NOW comes the plaintiff and class representative, Providence Steel, Inc. ("Plaintiff"), in the above-captioned case and respectfully moves this Court pursuant to LR. 7.1(B)(4) for leave to file "Plaintiff's Memorandum in Support of Joint Motion for Final Approval of Class Action Settlement and for Award of Attorneys' Fees" ("Plaintiff's Memorandum") in excess of twenty pages. Plaintiff brings this motion on an emergency basis, because Plaintiff's Memorandum is due to be filed on July 8, 2004. As grounds for the instant motion, Plaintiff states the following:

Plaintiff's Memorandum is twenty-seven pages in length. However, in lieu of filing two separate memoranda (*i.e.*, one in support of the class action settlement, and one in support of an award of attorneys' fees in the amount agreed upon by the parties), Plaintiff has consolidated all of the relevant issues into Plaintiff's Memorandum. The additional pages in Plaintiff's Memorandum, therefore, are justified by the need to adequately address each such issue. Further, S. David McNeill, Esq., counsel for the defendant, The Union Central Life Insurance Company, has assented to this motion.

WHEREFORE, Plaintiff respectfully asks this Honorable Court to grant Plaintiff leave to file Plaintiff's Memorandum in excess of twenty pages.

Respectfully submitted  
For the Plaintiff,

s/ Joseph M. Makalusky  
Fredric L. Ellis, BBO # 542075  
Edward D. Rapacki, BBO # 411910  
Joseph M. Makalusky, BBO # 631240  
ELLIS & RAPACKI LLP  
85 Merrimac Street, Suite 500  
Boston, MA 02114  
(617) 523-4800

Dated: July 6, 2004

**CERTIFICATION PURSUANT TO  
LOCAL RULE 7.1(A)(2)**

The undersigned hereby certifies that counsel for Plaintiff has conferred with S. David McNeill, Esq., counsel for the defendant, The Union Central Life Insurance Company, and Attorney McNeil has assented to the instant motion.

s/Joseph M. Makalusky  
Joseph M. Makalusky, BBO # 631240

Dated: July 6, 2004